

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**March 12-16, 2001**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-12	EX	75/977,595	Glaxo Group Ltd.	Simms* Hanak Rogers	whether the matter asserted for registration has acquired distinctive-ness as a trademark under Section 2(f)	Refusal Affirmed		the colors light green and dark green applied to the entire surface of applicant's medical inhaler devices through which its goods are dispensed [pharmaceutical preparations and substances for use in medical inhaler devices]		Rupp	No
3-13	OPP	113,737	Joseph J. Juras v. Kent Christopher Lyons	Hairston Wendel* Holtzman	2(d)	Opposition Sustained	"YELLOW DOG NANTUCKET" ( <i>and other marks incorporating the words "YELLOW DOG"</i> ) [t-shirts]	"YELLOW DOG SPORT" [men's, women's and children's clothing, namely, shirts, sweatshirts, pants, jackets, hats, caps and active wear]			No
3-13	CANC (SJ)	29,311	Island Seafood & Trading Co., Inc. v. Pedro Alvarez	Hohein Hairston Drost [Opinion "By the Board" (Hohein)]	abandonment	Petition to Cancel Denied (Respondent's cross-motion for summary judgment granted)		"NATIVE SEAFOOD & TRADING CO" (and design) [retail store and wholesale distributorship services in the field of seafood products and restaurant services]			No
3-13	EX	75/486,134	Louis R. Bucalo	Cissel* Hohein Chapman	2(e)(1)	Refusal Affirmed		"ALLNEWS" [telephone information services featuring local, national and international news that customers access by telephone]		R. Lorenzo	No

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member

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3-14	EX	75/486,132	Louis R. Bucalo	Cissel* Hohein Chapman	2(e)(1)	Refusal Affirmed		"ALL-NEWS-PHONE" [telephone information services featuring local, national and international news that customers access by telephone]		R. Lorenzo	No
3-14	EX	75/469,369	Candle Corp. of America	Seeherman Bucher* Bottorff	2(e)(1)	Refusal Affirmed		"CANNED HEAT" [solid fuel composed mainly of alcohol for use in warming food]		I. Clarke	No
3-14	EX	75/618,459	Arley B. de Paris, Inc.	Simms Bucher Drost*	2(e)(3)	Refusal Affirmed		"ARLEY B. DE PARIS" [adult and children's clothing, namely, shirts, pants, dresses, etc.]		Fisher	No
3-14	CANC (SJ)	29,921	Century Bancorp, Inc. v. Century Bank and Trust Corp.	Simms* Cissel Holtzman	2(d)	Petition to Cancel Granted (Petitioner's motion for summary judgment granted)	"CENTURY BANK" and "CENTURY BANCORP" [ <i>both marks for commercial and consumer banking services</i> ]; "CENTURY FINANCIAL SERVICES" [investment and brokerage services]	"CENTURY BANK & TRUST" (and design) [commercial banking and trust services]			No
3-16	EX	75/540,442	Great Beach Vacations, Inc.	Seeherman Wendel* Bottorff	Section 6 disclaimer requirement (of the words GREAT BEACH VACATIONS)	Refusal Affirmed		"GREAT BEACH VACATIONS" (and design) [real estate listing services, real estate leasing services, real estate management services]		Winters	No

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3-16	EX	75/188,385	MIV, Inc.	Quinn Hairston Rogers*	2(d); 2(e)(1)	Refusal Affirmed (on both grounds)		“WORK PLACE” (in stylized lettering) [business marketing consulting services, and planning and procurement services, namely, obtaining furniture, all for wholesale and retail manufacturers and vendors; design and implementation of offices, stores, and showrooms for use by wholesale and retail furniture manufacturers and vendors]	“WORKPLACE” (in stylized lettering) [modular industrial furniture, namely, benches, cabinets, shelving and tables]	Beverly	No
3-16	EX	75/369,284	Sealy Technology, LLC	Hairston Walters* Holtzman	2(d)	Refusal Reversed		“SEALY POSTUREPEDIC CROWN JEWEL” [non-decorative bed pillows, not including linens to cover bed pillows; non-decorative feather beds and mattress pads, not including linens to cover feather beds and mattress pads]	“CROWN JEWEL” [bedspreads, blankets, sheets, pillowcases, towels, wash cloths, decorative fabric and upholstery fabric]	Miller	No

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